

SCOPE OF SERVICES

Vendor Service Contract for an Integrated Water Resources Management and Infrastructure Review Group City of Milwaukee September 6, 2006

The City of Milwaukee is seeking a Consultant to assist the City in developing and drafting policies regarding integrated water resources management for both quality and quantity management and strategic use of water and sewer infrastructure. Funds available for this project total \$50,000.

A. Background and Intent

Integrated management of Lake Michigan, its tributary surface waters and ground water resources and the strategic use of infrastructure are critical to Milwaukee's environmental and economic sustainability. The City is located on the shore of Lake Michigan, one of the largest fresh water lakes in the world. Three major rivers flow through the City the Milwaukee: the Milwaukee River estuary, Menomonee and Kinnickinnic, which join together to form the Milwaukee's harbor on Lake Michigan. The health of the region's water resources directly affects Milwaukee's economic health and quality of life. In addition, the City has the largest sanitary sewer system, combined sewer system, storm sewer system and drinking water treatment and distribution system in the State. This public investment needs to be used strategically to insure the long-term viability of the systems and the economic vitality of the City of Milwaukee.

The State of Wisconsin and several regional organizations including the Milwaukee Metropolitan Sewerage District (MMSD) and the Southeast Wisconsin Regional Planning Commission (SEWRPC) are within one year of finalizing plans and recommendations that will impact the City's drinking water, stormwater and wastewater systems. In addition, the State legislature is likely to adopt legislation in the 2007 session to implement the Great Lakes Compact. These local, regional and state policy and planning efforts have the potential to significantly impact Milwaukee's water resources and the use of the City's infrastructure. These efforts include:

- The adoption of state legislation to implement the Great Lakes Compact.
- The release of the State of Wisconsin's – Ground Water Management Study.
- SEWRPC's Regional Water Supply Study.
- The University of Wisconsin Milwaukee's major ongoing research initiative on: Sustainable Management of Water Resources-Southeastern Wisconsin and Beyond.
- Development of the Regional Water Quality Management Plan by SEWRPC and the Wisconsin Department of Natural Resources (DNR).
- Development of the MMSD Wastewater Facilities Plan for the year 2020 in conjunction with the SEWRPC and DNR water quality plan.
- The implementation of NR 151 Stormwater Regulations.

As the above listed actions and plans move toward making recommendations and implementation, the potential impacts to the City are complex and could have substantial positive or negative repercussions for the future prosperity of the City. The City has adopted resolutions regarding the transfer and diversion of water from the Great Lakes Basin but has not adopted specific policies that address integrated water resource management and use of the City's existing infrastructure. To fully participate in the public policy and planning efforts currently underway and to ensure consistency with existing City policy, the City desires to bring in experts in fields related to integrated water resource management who can help establish a City position to ensure sustainable management of the City's water resources and strategic use of the City's infrastructure.

B. **Qualifications:** Eligible proposers will be consultant teams with the following qualifications:

The members of the Consultant's team must bring a wealth of experience and knowledge to the effort. Specifically, the following expertise is necessary:

- Management of a large (>500,000 population) wastewater treatment facility
- Management of a large (>500,000 population) drinking water utility
- Management of integrated watershed management projects that address ground water and surface water issues
- Management of programs or projects that integrate issues of water and sewer demand and supply with land use, transportation, housing and other growth management issues
- Management or development and implementation of water conservation programs
- Management or development and implementation of revenue sharing projects related to water resource management and use of water, sewer and stormwater infrastructure
- Demonstrated knowledge and expertise in regard to "best practices" related to integrated water resource management and strategic use of infrastructure
- Demonstrated knowledge and expertise in developing and implementing financing strategies for major water resource projects.

In addition to experience managing water and wastewater facilities, the consultant team should have expertise from the fields of political science, urban planning, economics and environmental policy.

C. Detailed Requirements:

Consulting services are required to evaluate the efforts of the policy development, planning and research efforts currently underway and to advise the Mayor and City officials on potential positions or actions they may wish to take on various water infrastructure issues.

The consultant team, in conjunction with a local technical advisory group would begin by reviewing the work products of various water committees and planning efforts now underway, analyzing key findings and recommendations and identifying significant issues and key stakeholders and their interests. The evaluation would also consider whether or not any draft alternatives or draft plans are consistent with existing City policy including Common Council resolutions specific to the diversion and transfer of water from Lake Michigan to users across the sub-continental divide.

Upon completion of this initial evaluation, the consultants would work with the technical advisory group to develop *scenarios* that present alternative outcomes for the City in the context of Regional and State water resource management activities. These scenarios would describe how the City's infrastructure may need to be expanded, repaired, replaced, managed, regulated, or controlled. The consultants would also identify possible strategies and tactics the City could employ in responding to the various scenarios. The scenarios would be designed to frame the options that are available to the Mayor and City officials and to assist them in understanding the opportunities and consequences of pursuing one course of action over another.

Proposers are required to submit their all-inclusive cost proposal for the above on the document titled "Cost proposal for RFP 1851".

D. Anticipated Deliverables:

As a result of the above analysis and findings and the agreement between the consultant and the City of Milwaukee, the consultant shall be expected to present the following deliverables:

Task 1. Workshop Development and Preparation

Development of a two and one-half day workshop for the consultant team and representatives of the local technical advisory group. The consultant will prepare briefing books for the workshop participants and consulting team. The briefing books will include an executive summary level description of Milwaukee's water and wastewater infrastructure and the planning efforts listed. The briefing books will be available for the consultant team and local technical advisory committee prior to the meeting. The

consultant will develop an agenda and make logistical arrangements for the workshop. The consultant team will include technical and policy experts with experience working on water resource management in other jurisdictions.

The workshop will include an overview of the on-going policy efforts identified in Section A. of this Scope of Work, an overview of existing City policy and an identification of topics that the consultant team will be involved in developing “white papers” for. The background discussion and issue identification will occur on the first day of the workshop. Development of alternative scenarios to address the key issues including an assessment of the positive and negative implications of choosing a particular scenario will occur on the second day during facilitated sessions. The third day, a half-day, will involve a presentation of the alternative scenarios and their implications to the Mayor and/or local officials. This product will include a power point or other form of presentation for the Mayor and his staff. The final part of the workshop will be spent identifying follow-up activities and next steps.

Task 2. Workshop Facilitation and Participation

A member of the consultant team will facilitate the workshop to ensure that the objectives of the workshop are met. Participation of the consultant team will ensure that experts in watershed management utility management, economics, and regulatory affairs are available to attend and discuss policy and technical issues. The facilitator will also be responsible for preparing a meeting summary and a list of follow-up activities.

Task 3. “White Paper” Development

Up to four “white papers” addressing issues identified at the workshop will be prepared. The papers will include a description of possible scenarios, identification of likely policy outcomes, identification of alternatives and analysis of the consequences of policy adoption and implementation on the City of Milwaukee’s water, storm water and sewer infrastructure and on water quality in the Great Lake’s basin. The papers will also describe the relationship of the likely outcome to existing City policy. The scope and nature of these papers will be finalized based on the outcomes of the workshop described as **Task 1.** of this Scope of Work.

The papers will identify impacts to the capacity of City infrastructure, demands for new services, impact on economic health and tax base. The papers will also identify means to minimize impacts to the City through revenue sharing and other techniques. The papers will help the City understand technical issues related to integrated water resource management. The papers will recommend a course of action that will assist the City in focusing its resources in the most effective manner.

Task 4. Additional Deliverables

The consultant will be responsible for preparing a summary of the workshop and a powerpoint presentation that can be used by local technical advisory committee members to brief the Mayor and his staff on the outcome of the workshop and recommended next steps.

The consultant will convene with members of the local technical advisory committee after the scope of work has been developed and will also be available for phone conferences.

E. Vendor Responsibilities

Provide all necessary services including but not limited to clerical support services, copy services, computer services and other services necessary for the performance of this project.

F. Contract Period

The City of Milwaukee is seeking to have Tasks 1 and 2 completed within forty-five (45) calendar days following the execution of the contract for these services, which is anticipated to be **December 21, 2006**. Vendors should indicate in their proposal if they have the ability to meet this delivery requirement and/or perform the work in a shorter time frame, if possible. The project will extend for six (6) months from the date of execution of the contract for these services anticipated to be from October 30, 2006 through April 30, 2007.

G. References

Proposers must provide at least three references for which work similar in subject matter was performed within the past five years. This shall include the name and address of the reference, the name and phone number of a person to contact, when the work was performed, and a brief description of the work that was performed.

H. Criteria for Proposal Evaluation and Award

An evaluation team will review accepted proposals using the following criteria and weights:

- Qualifications and experience of the firm 15%
Based on recent and relevant experience on related projects. Describe your knowledge and experience.
- Qualifications and experience of the team 45%
The names and titles of the members of the consultant team to be assigned to this project and their backgrounds, experience and qualifications.
- Proposer's Cost 10%
Provide hourly rate information, estimated number of hours to complete the 'Detailed Requirements' and 'Deliverables' and an all-inclusive total cost for the project. All costs to provide the services and deliverables must be included in the all-inclusive total cost. Also, include a written detailed budget breakdown of the cost proposed and a milestone payment schedule.
- Emerging Business Enterprise Participation 10%
Due to the unique requirements of the work involved, the City strongly encourages the use of an EBE. By using an EBE you may be awarded up to 10 additional points.
- Timeliness of Project Completion 20%
Proposed Schedule to perform the 'Detailed Requirements' and 'Deliverables'

The proposal evaluation may include an interview at the City of Milwaukee of selected finalists at the proposer's expense. However, an award may be made without discussion with the respondents. Therefore, be advised all proposals should be submitted initially on the most favorable terms, from a technical, experience and cost standpoint.

I. Proposal Submission Quantity and Required Format

Vendors are to provide eight 3-ring binder bound hard copies of their proposal on 8 ½ " X 11" paper (One clearly marked ORIGINAL and seven copies), and one electronic copy on CD or disk only (email is not allowed) of their proposal by the stated RFP due date. The proposal shall be limited to 25 pages in total, printed on one side only, with minimum margins of one inch on all sides. Text font shall be a minimum of 12 point. Failure of a Proposer to submit an ORIGINAL copy AND the stated number of copies will result in the proposal being rejected.

Authority to Bind Offerer: Each copy of the proposal shall bear the original signature of an officer of the bidder's company who has the authority to bind the company.

Person(s) Authorized to Negotiate: Each proposal must list a name(s) and telephone number(s) of the person(s) authorized to conduct negotiations with the City.

Cost Proposal: All of the cost proposal copies (one clearly marked ORIGINAL, seven copies and one electronic copy) must be submitted in a single, separately marked, sealed envelope by the stated RFP due date. **The cost proposal sheet should not be included in the binder bound proposal copies submitted.**

J. Submission of Proposals

Sealed Request for Proposals (RFPs) to furnish the services specified in this Scope of Services and Invitation to Bid (RFP) will be received in the DOA-Procurement Services Section no later than 2:00 PM-CST on Tuesday October 3, 2006. The proposal envelopes/carton must be identified in the lower left corner as follows:

RFP #1851

Due Date: 10/3/2006 – 2:00 PM-CST

Any proposal received in an envelope/box/carton not properly and clearly marked as specified may result in the proposal being rejected. It is the proposer's responsibility to comply with the above in order to assure inclusion at the proposal opening.

RFP 1851

VSC for an Integrated Water Resources Management & Infrastructure Review Group
September 6, 2006

The Proposers name, address, email address, telephone and fax numbers must be clearly marked on all copies of the proposal, including the electronic and cost proposal copies as well as a distinct reference to the RFP must be marked clearly on each proposal submission copy as illustrated below:

RFP # 0000001851

Description: VSC for an Integrated Water Management and Infrastructure
Review Group

Closing Date: Tuesday, October 3, 2006 at 2:00 PM-CST

Proposers Name:

Respondents may submit their proposals any time prior to the closing date and time.
Proposals must be received no later than 2:00 P.M. (Central Daylight Time) on Tuesday October 3, 2006 in Room 601 of City Hall.

All proposals are time-stamped upon receipt and are securely kept unopened, until the Closing Date and Time. The City, or any official or employee thereof, will not be responsible for the pre-opening of, post-opening of, or the failure to open a proposal not properly addressed and identified. **Proposals delivered by electronic means (other than the electronic copy described herein) such as facsimile and email are not allowed and proposals so delivered will not be considered.**

Proposals time-stamped after the closing date and time will not be considered and will be returned to the Proposer unopened. Regardless of the method used for delivery, Proposers shall be wholly responsible for the timely delivery of the submitted proposals to the address detailed below:

Janine Wilant
City of Milwaukee
DOA-BOD-Procurement Service Section
200 E. Wells Street, Room 601
Milwaukee. WI 53202-3560

Contact Person: The DOA-Procurement Services Section issues this RFP on behalf of the City of Milwaukee, which is the sole point of contact during the procurement process. No information provided verbally or by any other personnel will be considered binding. All respondents should use this written document and its attachments as the sole basis for their proposal at this time.

Copies of the RFP can be downloaded from the Procurement Services Sections web page at: www.milwaukee.gov or by emailing your request to jwilan@milwaukee.gov.

Proposers are specifically directed not to contact any City of Milwaukee staff for meetings, conferences or technical discussions that are related to this RFP. Unauthorized contact of any City personnel is a cause for rejection of the proposal.

All communications regarding this RFP and the submittal process should be directed to:

Janine Wilant, Procurement Specialist
City of Milwaukee
DOA-BOD-Procurement Services Section
200 E. Wells Street, Room 601
Milwaukee, WI 53202-3560

Phone: 414-286-3916 **Fax:** 414-286-5976 **Email:** jwilan@milwaukee.gov

Proposal Questions: The deadline for submitting questions regarding this RFP is **no later than 5:00 PM-CST on Friday September 15, 2006**. Written questions are to be submitted to the contact person detailed herein via email (preferred) at jwilan@milwaukee.gov or by fax at 414-286-5976. Answers to the questions submitted by proposers will be posted on the Procurement Services Section web page in the form of an addendum to this RFP no later than Friday, September 22, 2006. **Questions submitted after September 15, 2006 will not be considered.**

IMPORTANT: It is the responsibility of the Proposer, prior to submitting a response to the RFP, to determine whether all addendums have been downloaded from the Procurement Services Section web page and are included with the RFP response.

Jurisdiction, Venue, Choice of Law: This RFP and any resulting contract shall be governed by and construed according to the laws of the State of Wisconsin.

Follow-up Interviews: The City may conduct discussions with the highest ranked proposer(s) who submitted a proposal. Proposers must be available for interviews/presentations at City facilities or by phone on specific dates.

Negotiations: The City may at its sole option, open negotiations with the highest ranked proposer after the proposal closing date and prior to award. The City also reserves the right to open negotiations with the second highest ranked proposer if negotiations with the highest ranked proposer are not successful.

Incurred Costs: Those vendors submitting proposals do so entirely at their expense. There is no expressed or implied obligation by the City to reimburse any individual or firm for any costs incurred in preparing or submitting proposals, for providing additional information when requested by the City or for participating in any selection or follow-up interviews, including negotiations. Furthermore, any and all costs associated with the

performance of the contract and deliverables shall be included in the cost proposal and the sole responsibility of the proposer awarded the contract.

Insurance:

- The successful proposer will be required to provide the City with evidence of Insurance coverage that is in full compliance with the City's Insurance Requirements detailed in the RFP (Invitation to Bid).
- It is the successful proposers responsibility to provide their insurance agent with a copy of the City's Insurance Requirements (Attachment 1.).
- It is the successful proposers responsibility to check the Insurance Certificate and Affidavit of No Interest form before it is sent to the City to verify that these documents are in full compliance with the City's Insurance Requirements.
- Original copies of the fully compliant Insurance Certificate and Affidavit of No Interest form shall be furnished to the City no later than fifteen calendar days after receiving a request from the City.

NOTE: The Insurance Certificate and Affidavit of No Interest form must be approved by the Office of the City Attorney prior to the commencement of any work.

Living Wage: Proposers should note that the City's Living Wage provision (Attachment 2) applies to this request for proposal. This requires that all individuals who work on the contract that will be issued be paid a minimum of \$7.98 per hour. Proposers must complete and submit with their bid the "affidavit of compliance-living wage provision" form. Please note that this information is material to the request for proposal. Failure to submit this information with your proposal will result in your proposal being rejected.

Emerging Business Enterprise Provision: This request for proposal does not have a mandatory Emerging Business Enterprise (EBE) participation percentage. The City strongly encourages the use by the proposer of certified EBE firm(s) for any services hereunder. A maximum of 10 additional points will be given to proposers who propose to partner with City certified EBE's and submit the appropriate forms with their proposal. The EBE forms that must be submitted with your proposal are as follows:

1. EBE Form A – EBE Participation for Subcontractors and/or Material Suppliers
2. EBE Form B – Affidavit of Compliance-Emerging Business Enterprise Provisions form. **NOTE:** This form must be notarized when submitted with your proposal.

A maximum of ten points will be given to proposers who propose to use City certified EBE's to subcontract for the required services. If a lesser participation percentage is proposed, the City will assign points pro-rated according to the percentage proposed. Proposers who include the use of an EBE firm(s) in their proposal must also specify how that contractor will provide a meaningful function during the term of this contract.

See Attachment 3 for the EBE Requirements.

Confidential Matters:

- **City Data:** The Proposer and its agents shall treat all data and information pertaining to this RFP as confidential. The Proposer and its agents shall not disclose or communicate the aforesaid matters to a third party or use them in advertising, publicity, propaganda, and/or in another job or jobs, unless written consent is obtained from the City.
- **Vendor Data:** If any information submitted in the proposal is confidential or proprietary, the Proposer must complete and include the Designation of Confidential and Proprietary Information form with their proposal.

Assignment: The Proposer may not reassign any award made as a result of this RFP, without prior written consent from the City.

Rejection: The City reserves the right to:

- Reject any and all proposals received in response to this request,
- Request clarification regarding any proposal,
- Waive any informality in the proposals that are received,
- Accept or reject any or all parts of any proposal submitted and accept such proposal deemed to be in the best interests of the City,
- At its sole discretion, reject any exceptions or changes in the Scope of Services within the Proposal,
- Accept a proposal that is not the lowest cost, and
- Award a contract in whole or in part.
- Moreover, the City reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or not in the best interests of the City.

Award: The City will select the respondent whose proposal best meets the City's needs as defined in this RFP. Contractual commitments are contingent upon the availability of funds, as evidenced by the issuance of a contract. All contracts are subject to the approval of the City's legal counsel and the Purchasing Director, prior to execution. Once awarded, the contract will be the final expression of the agreement between the parties and may not be altered, changed or amended except by mutual agreement, in writing.

PROCUREMENT SCHEDULE

Date	Selection Procedure
9/6/2006	RFP release date
9/15/2006	Deadline for submitting questions
9/22/2006	*Date for posting answers to questions
10/3/2006	*Proposal Closing Date
10/12/2006	*Selection of qualifying firms
10/13-10/14/2006	*Proposer follow-up interviews, if needed
10/16/2006	*Selection of highest ranked Proposer
10/23/2006	*Contract negotiations completed
10/30/2006	*Commencement date

***Tentative dates subject to change**

Proposals shall be submitted in the following sequence:

- A signed copy of the first page of the RFP (Invitation to Bid) and the binding signatures page for Requests for Proposal along with all of the other pages for the RFP (Invitation to Bid). Manual signatures only. No facsimiles.
- Signed copies of all RFP addendums, if any. Manual signatures only. No facsimiles.
- A signed cover page for the proposal on company letterhead.
- Table of contents.
- The information requested in Section B, Qualifications. Proposers are required to provide a response to the nine qualifications listed in this section.
- The information requested in Section C, Detailed Requirements. Proposers are required to provide details in their proposal on how they will conduct their analysis and report their findings for all requirements listed in this section.

Note: Copies of the cost proposal documents are to be provided in a single, separately marked, sealed envelope. See Section I. for details.

- Other related information.
- A signed copy of the Designation of Confidential and Proprietary Information Form. If no material in the proposal qualifies as a trade secret, write NONE and complete the signature section on the form.
- A signed and notarized copy of the Affidavit of Compliance – Living Wage Provision form must be included with your proposal submission.
- Proposers that will be using an EBE firm should complete, obtain signatures and submit EBE Form A-- EBE Participation for Subcontractors and/or Material Suppliers and EBE Form B—Affidavit of Compliance-Emerging Business Enterprise Provisions. On EBE Form A, proposers must specify how the EBE firm(s) will provide a meaningful function during the term of this contract. Note EBE Form B must be signed and notarized when submitted with your proposal.
- In a separate, clearly marked, sealed envelope, proposers must furnish the cost proposal to perform the project described in the Request for Proposal and Scope of Services. The cost proposal pricing sheet **should not** be included in the binder bound proposals submitted.

K. Other Information

Clarifications: If additional information is needed to interpret the specifications/requirements, written questions must be received by the cut-off date listed in the RFP. All questions and answers will be listed in the form of an addendum to the City's website.

Content of the RFP: The "Invitation to Bid" document with a signature and all attachments, additional pages, addenda or explanations supplied by the vendor with the proposal will be considered as part of the proposal response. If an oral interview/presentation is required of selected finalists, it shall be at the proposer's expense. However, an award may be made without discussion with the proposers. Therefore, all proposals should be submitted initially on the most favorable terms, from both technical, experience and cost standpoint. Elaborate inclusions (artwork brochures, CD ROMs, etc.) unless requested, are strongly discouraged.

Other Considerations: Factors which include, but are not limited to, personnel assigned to the project, quantity involved, time of performance, purpose, approach, familiarity with public and private procurement and contracting issues, financial capacity of vendor, ability to render satisfactory service, impartiality, use of a City certified EBE vendor, and past performance will be considered in determining status as a responsible vendor. The City reserves the right to request additional information as may be reasonable in order to determine the qualifications of a respondent.

How to Amend a Request for Proposal Before Due Date and Time: After a Request for Proposal has been filed with the DOA-Business Operations Division, if the responder desires to amend the proposal, PROPOSER MAY DO SO BEFORE THE DUE DATE AND TIME set for the receipt of proposals as stated in this Request for Proposal by filing an amendment fully identified with the original proposal submitted by number, commodity or service. All the conditions and provisions of the original proposal will be in effect. NO REQUESTS FOR PROPOSAL OR AMENDMENTS WILL BE ACCEPTED FROM PROPOSERS AFTER THE DUE DATE AND TIME FOR RECEIPT OF PROPOSALS AS SPECIFIED IN THE REQUEST FOR PROPOSAL. This does not preclude the City from requesting additional information and/or clarification.

Contract and Execution of Contract: Unless otherwise specified in the Request for Proposal, the successful proposer agrees to enter into the contract on the form prepared by the City, a copy of which will be on file in the office of the DOA-Business Operations Division.

The Contractor shall return the executed contract to the DOA-Business Operations Division within fourteen calendar days after the receipt of the contract.

RFP Results: RFP scores will be available to the public after contract award, which is approximately 90-150 days from the date of opening. RFP results can be found on the City's website at:

<http://www.city.milwaukee.gov/display/router.asp?docid=338>

Responses to Remain Open: Responses must remain open and will be deemed to be open and subject to acceptance until awarding of the RFP is finalized, or a minimum of 150 days unless otherwise specified following the date set forth for the receipt and filing of the response to the Request for Proposal.

Application of Terms and Conditions: All terms, conditions, and scope of services included in the RFP document apply to any subsequent award.

Interest in Contract: No officer, employee or agent of the City of Milwaukee who exercises any functions or responsibilities in connection with the review, approval or administration of this contract shall have any personal interest, direct or indirect, in this contract.

IMPORTANT – Failure of Compliance: Failure on the part of the responder to comply with all of the instructions and terms of the Standard Terms and Conditions for a Request for Proposal may result in proposal rejection by the DOA-Business Operations Division, and/or cancellation of orders without liability to the City.